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A

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ORIGINAL: ENGLISH

Fiftieth session

REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

REVIEW OF THE ROLE OF THE TRUSTEESHIP COUNCIL

Letter dated 2 June 1995 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General

I have the honour to request, on behalf of the Government of Malta, in accordance with rule 13, paragraph (e), of the rules of procedure of the General Assembly, the inclusion of an item entitled "Review of the role of the Trusteeship Council" in the provisional agenda of the fiftieth session of the General Assembly.

In accordance with rule 20 of the rules of procedure, an explanatory memorandum concerning my Government's request is attached hereto (see annex).

(Signed) Joseph CASSAR
Ambassador
Permanent Representative

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ANNEX

Explanatory memorandum

1. The commemoration of the fiftieth anniversary of the United Nations presents a timely opportunity to enhance the effectiveness and the relevance of the Organization in the lives of the peoples its represents. A second-generation United Nations must face the challenges of change also in the functioning of the principal organs of the United Nations system set up 50 years ago.

2. The Trusteeship Council has served, and is still serving, its purpose in terms of the Charter. However, its very success in bringing to nationhood so many countries and peoples previously under trust has diminished its role.

3. During the forty-fifth session, the President of the United Nations General Assembly, Prof. Guido de Marco, launched and advanced the idea that, in addition to its role under the Charter, the Trusteeship Council should hold in trust for humanity its common heritage and its common concerns (see appendix).

4. On 25 May 1994, the Trusteeship Council adopted an amendment to its rules of procedure (resolution 2200 (LXI)) establishing that the Council would henceforth meet as and where occasion might require by its decision or that of its President, or at the request of a majority of its members, or of the General Assembly or at the request of the Security Council acting in pursuance of the relevant provisions of the Charter of the United Nations.

5. It is the belief of the Government of Malta that the role of the Trusteeship Council can be enhanced to that of trustee of the common heritage of humankind.

6. Awareness of the need to incorporate a trans-generational perspective into deliberations by the international community has led to the adoption of a number of conventions, which incorporate within them different and distinct aspects related to the safeguard of the common heritage.

7. The Trusteeship Council can become the focal point for coordination of endeavour in these related areas of common heritage, thus warding the interest of present and future generations against dispersal of effort and fragmentation. Such a measure would be consistent with other initiatives to promote efficiency and effectiveness within the United Nations system.

8. The Government of Malta, therefore, proposes the inclusion of an item entitled "Review of the role of the Trusteeship Council", in the agenda of the fiftieth session to give Member States of the United Nations the opportunity to explore ways in which the role of the Trusteeship Council may be adjusted to meet the needs of present-day realities.

APPENDIX

Transforming the role of Trusteeship Council

(Pro memoria on the proposal launched by the Deputy Prime Minister and Minister for Foreign Affairs of Malta, Prof. Guido de Marco, during his tenure of the Presidency of the General Assembly at its forty-fifth session)

Guardian and trustee of the global commons and the common concerns

The commemoration of the fiftieth anniversary of the United Nations presents a timely opportunity and obligation to enhance the effectiveness and the relevance of the Organization in the lives of the billions of peoples it represents. A second-generation United Nations must face the challenges of change also in the functioning of the organs of the system set up 50 years ago.

Prof. Guido de Marco served as President of the General Assembly at its forty-fifth session, from September 1990 to September 1991. It was during his term of office that he first launched the idea of transforming the role of the Trusteeship Council, which in addition to its role under the Charter, should hold in trust for humanity its common heritage and common concerns. 1/

The proposal was introduced at a time when the international community was being released from the grip of the cold war, a time of opportunity to reflect on the Organization created to avoid the scourge of war. It was then becoming clearer to all that notions of security no longer stemmed solely from military considerations. The meting out of resources at present and in the future, the sustainability of the environment, the promotion of human rights and safeguard of peoples in situations of complete breakdown of the States all constitute challenges in future.

The United Nations is mandated to ensure that present and future generations benefit from and enjoy peace in freedom. This worthy goal necessitates flexibility in the functioning of the United Nations system. It requires review and revitalization of existing organs so as to enable it to be pro-active rather than re-active. The United Nations needs to be viewed as a complex adaptive system, which without renouncing its original ideals and basic purposes can respond adequately and promptly to contemporary needs. 2/

Amongst these is Malta's proposal to transform the Trusteeship Council from a guardian of dependent territories to a body that acts as guardian and trustee of the global commons and the common concerns in the interest of present and future generations.

The common heritage of mankind

The concept of the common heritage, first launched by Malta at the United Nations in 1967, has today acquired universal acceptance, which has led to its incorporation in a number of international conventions. The very concept of the

common heritage of mankind, revolutionary when first launched, remains an appealing one even today. It is a concept that brings contemporary notions of space and time together. More importantly, it provides an inherent link to the past as well as an intrinsic passage to the future, thus providing a new dynamic that helps overcome a static world view.

The notion of the heritage provides the logic necessary for wider parameters in the assessment of the here and now. It has stimulated a world vision that no longer concentrates solely on present-day situations but transcends selfish concerns and looks also to what lies beyond our immediate human condition. It is proof of the inter-generation solidarity we all strive for in the creation of truly dignified humanity. The raw material of which the concept of common heritage is made is trust.

The concept of trust emanates from a concept in English common law and is fiduciary in nature, reflecting the mission of the League of Nations and later the United Nations in so far as certain territories were concerned. This concept needs to be applied to new realities, with the United Nations holding in trust for humanity its common heritage and common concerns. 2/

The preservation of the environment

The preservation of the environment is now recognized as an objective of the work of the United Nations. Though not alone in the consolidation of this trend, Malta's contribution in its promotion has been significant. Malta's role in 1967, in raising international awareness on common heritage as applicable to the seabed, the ocean floor and the subsoil thereof underlying the high seas beyond the limits of national jurisdiction, is now part of history.

Twenty-one years later, during the forty-third session of the United Nations General Assembly, Malta played a very important part in bringing to the fore what is probably the most serious environmental concern humanity has ever had to face - the problem of climate change. The adoption of General Assembly resolution 43/53 of 6 December 1988, which characterized climate change as a common concern of mankind, focused world attention on the problem of global warming and climate change. A record number of meetings world wide followed this resolution, culminating in the United Nations Framework Convention on Climate Change.

In August 1989, Malta requested the inclusion in the provisional agenda of the forty-fourth session of the General Assembly of a supplementary sub-item, under item 83, entitled "Environmental protection of extraterritorial spaces for present and future generations".

The recommendation focused on the identification and extent of extraterritorial spaces, the rights and duties of States and the international community therein, the possible strengthening of relevant existing legal instruments and the effective and comprehensive environmental protection of such spaces. A draft resolution was formally introduced in the Second Committee of the General Assembly on 20 November 1989, after which it was examined during

informal consultations in one of the Working Groups of the Committee chaired by one of its Vice-Chairmen.

In its decision 44/451 of 22 December 1989, the General Assembly, on the recommendation of the Second Committee, decided to take no action on the draft resolution "at the present time", thus leaving the door open for future consideration of the Maltese initiative. The failure of the Assembly to adopt a text on this important subject was, fortunately enough, mitigated by an important development in the International Law Commission and in the Preparatory Committee for the United Nations Conference on Environment and Development.

The Special Rapporteur, Prof. Julio Barboza, in his sixth report deals extensively and in detail with the liability for harm to the environment in areas beyond national jurisdiction - which Malta had described in its proposal to the United Nations as "extraterritorial spaces". Yet another development was the text being considered for discussion in the United Nations Conference on Environment and Development relating to the sustainable use and conservation of the high seas living resources.

It was in this context that the Deputy Prime Minister and Minister for Foreign Affairs of Malta, Prof. Guido de Marco, as President of the General Assembly at its forty-fifth session, proposed the reform of the Trusteeship Council as the body most appropriate to act as trustee of the global commons in the interest of future generations. This reform was part of the overall revitalization process necessary to generate a second-generation United Nations.

This proposal was then expounded to various diplomatic and academic audiences in a series of lectures on "A Second-Generation United Nations" delivered between April and June 1991 at the University of Genoa, the Moscow Dilee Diplomatic Academy, the Beijing Foreign Affairs College, the Institute of Political Studies, Turin, and the Carolinum of Charles University, Prague.

> "The Charter of the United Nations provides for the Trusteeship Council. To its credit, most of the peoples under trustee administration have practically all acquired their independence. However, the Council can still serve an even more beneficial role in the contemporary world. I feel that with a slight correction, this body can be made to function for the common weal of man. I suggest that from an administrator of territories, this Trusteeship Council be converted into a guardian and supervisor of the common heritage of mankind. The resources of the sea and of the seabed, the climate, the environment - particularly the protection of extraterritorial zones - and the rights of future generations, all these priceless possessions of humanity invoke the creation of such a Council if they are to be handed down to future generations." 3/

During this period, when Malta was diffusing this concept, some members of the International Law Commission later that same year in addressing the issue of harm to the global commons had acknowledged the problem of continuous deterioration of the human environment as a serious matter with universal implications that needed to be addressed by the Commission and suggested that the mandate of the Trusteeship Council could be extended to cover the protection of the resources of the global commons. 4/

In a statement on the report of the International Law Commission during the forty-sixth session of the General Assembly, Prof. David Attard, on behalf of the Government of Malta, welcomed the Commission's comments, stating that such an idea had been proposed by the Government of Malta to extend the mandate of the Council in the suggested direction. 5/

In the same manner, the Government of Malta today welcomes the report of the Commission on Global Governance, "Our Global Neighbourhood", which, amongst other proposals regarding the reform of the United Nations system, contains a section on the possible reform of the Trusteeship Council, which, in essence, reflects the proposals expounded by Prof. de Marco during his presidency of the forty-fifth session of the General Assembly, and consistently since, namely:

> "The Trusteeship Council should be given a new mandate over the global commons in the context of concern for the security of the planet."

A timely opportunity

The commemoration of the fiftieth anniversary of the United Nations provides a timely opportunity to transform the Trusteeship Council into a body that safeguards the interests of future generations by enhancing its mandate to include the common heritage of mankind; entrusting the Council with oversight relative to conventions incorporating the concept of a common heritage of mankind; granting to the Council a coordinating role in the international community's efforts, particularly in promoting human rights and safeguarding peoples in situations of complete breakdown of the State.

At present a number of areas considered part of the common heritage and/or common concerns are covered by conventions and General Assembly resolutions, among them, the seabed and ocean floor; climate change; biodiversity; outer space; and the environment. These areas are entrusted to a number of distinct international institutions, amongst which are the International Seabed Authority, the Intergovernmental Panel on Climate Change, the Commission for Sustainable Development, the United Nations Environment Programme (UNEP) and the United Nations Development Programme (UNDP).

> "These units work independently, in an almost completely uncoordinated fashion. Though each aspect requires specific attention, the intrinsic linkage between these different issues demands unison in effort. The concept of common heritage requires a coordinated approach. A change in one cog affects the functioning of the whole. Interrelation cannot be ignored. A scenario of institutional fragmentation can only be avoided through the establishment of an oversight mechanism relative to those areas which we hold in trust for future generations. Rather than reinventing the wheel, Malta is proposing a transition and evolution in the role of the Trusteeship Council." 6/

Since the withdrawal of Australia at the end of 1975, the Council has comprised one administering Power (United States of America) and four non-administering Powers (China, France, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland). The last

territory under the trusteeship system was the Trust Territory of the Pacific Islands. On 22 December 1990, by its resolution 683 (1990), the Security Council agreed to the termination of the trusteeship in respect of three of the four component parts of the Trust Territory of the Pacific Islands, namely, the Federated States of Micronesia, the Marshall Islands, and the Northern Mariana Islands. Following the November 1993 plebiscite in which the people of Palau freely exercised their right to self-determination, the Trusteeship Agreement of this last remaining Territory under the trusteeship system came to an end.

On 25 May 1994, the Trusteeship Council adopted an amendment to its rules of procedure (resolution 2200 (LXI)) establishing that the Council would henceforth meet as and where occasion might require by its decision or that of its President, or at the request of a majority of its members, the General Assembly or the Security Council. The Secretary-General, in his report on the work of the Organization, 7/ has recommended that the General Assembly proceed with steps to eliminate the Trusteeship Council in accordance with Article 108 of the Charter, which provides for amendments to the Charter to be made by a two-thirds majority of the General Assembly, including the permanent members. Before proceeding with such a recommendation, it is Malta's belief that worthy alternatives need to be considered, amongst which is the recommendation to transform and evolve the mandate of the Trusteeship Council, entrusting it with the responsibility of safeguarding the common heritage of mankind.

At the Inter-Parliamentary Union Conference held in September 1994, Malta proposed the holding of a conference mandated to discuss the concept of trusteeship as it relates to the common heritage of mankind. Later this year Malta intends to follow up its proposal for the transformation of the mandate of the Trusteeship Council with a formal request for inclusion of a relevant item in the work of the fiftieth session of the General Assembly.

Solidarity of the human family

"We believe in a second-generation United Nations, as a major stepping stone to peace and security. A more humane United Nations, not built on conflicting power blocs, but stimulating regional organizations, building round multipolar interdependent areas.

"To preserve peace and stability, Malta proposes the transformation of the Trusteeship Council from one looking after dependent territories, to a vigilant Council, to safeguard the common heritage of mankind and to keep in trust for humanity the environment and rights of future generations, aware of the common concerns and common interests, built on the solidarity of the human family.

"A process of peace to combat poverty, illiteracy, underdevelopment, misery and hunger." 8/

Notes

1/ See A/45/PV.82.

2/ See A/49/PV.13.

3/ From a statement delivered at the University of Genoa, Italy, on 12 April 1991 by Prof. Guido de Marco.

4/ See Official Records of the General Assembly, Forty-third Session, Supplement No. 10 (A/46/10).

5/ See A/C.6/46/SR.30.

6/ From a lecture on "Reforming the Trusteeship Council" given to the European Law Students Association in Malta in October 1994 by Prof. de Marco.

7/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 1 (A/49/1).

8/ From a statement delivered by Prof. de Marco on 30 January 1995 at Floriana, Malta, at the International Symposium "50 Years, Malta-Yalta-Malta: A Process of Peace".

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21 June 1995

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

COOPERATION BETWEEN THE UNITED NATIONS AND THE ECONOMIC COOPERATION ORGANIZATION

Letter dated 8 June 1995 from the representatives of Afghanistan, Azerbaijan, the Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan addressed to the Secretary-General

Upon instructions from our respective Governments and pursuant to rule 13 (e) of the rules of procedure of the General Assembly, we have the honour to request the inclusion in the agenda of the fiftieth session of the General Assembly of an additional item entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

An explanatory memorandum (see annex) and a draft resolution (see appendix) in support of the above request accompany the present letter, pursuant to rule 20 of the rules of procedure of the General Assembly.

(Signed) Ravan A. G. FARHADI
Permanent Representative of
Afghanistan to the United Nations

(Signed) Kamal KHARRAZI
Permanent Representative of the
Islamic Republic of Iran to the
United Nations

(Signed) Askar AITMATOV
Chargé d'affaires a.i.
Permanent Mission of
Kyrgyzstan to the United Nations

(Signed) Eldar G. KOULIEV
Permanent Representative of
Azerbaijan to the United Nations

(Signed) Akmaral Kh. ARYSTANBEKOVA
Permanent Representative of
Kazakstan to the United Nations

(Signed) Ahmad KAMAL
Permanent Representative of
Pakistan to the United Nations

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(Signed) Lakim KAYUMOV
Permanent Representative of
Tajikistan to the United Nations

(Signed) Aksoltan ATAEVA
Permanent Representative of
Turkmenistan to the United Nations

(Signed) Inal BATU
Permanent Representative of
Turkey to the United Nations

(Signed) Fatikh G. TESHABAEV
Permanent Representative of
Uzbekistan to the United Nations

ANNEX

Explanatory memorandum

The Economic Cooperation Organization (ECO) was established in 1985 as a trilateral intergovernmental organization of the Islamic Republic of Iran, Pakistan and Turkey, to promote mutually beneficial regional cooperation with a view to creating conditions for sustained socio-economic growth in the member States. The basic charter of ECO is contained in the Treaty of Izmir, stipulating the following main objectives of the Organization:

(a) To expand trade among member States by providing free access to each other's markets;

(b) To promote in each member State conditions for sustained economic growth in order to achieve continuous improvement in the standard of living of the people;

(c) To consolidate cultural affinities and spiritual and fraternal ties that bind the people of the member States through social and cultural channels of thought and action;

(d) To contribute to the growth of world trade and to strive to remove iniquitous trading policies resulting in adverse terms of trade for the developing countries, by evolving a common approach in the international forums.

In November 1992, ECO admitted 7 new members and now comprises a total of 10 member countries: Afghanistan, Azerbaijan, Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan.

In accordance with article XXXV of the Treaty of Izmir, ECO has been engaged in establishing cooperative relationships with several regional and international organizations, including those within the United Nations system. As part of that process, ECO acquired observer status with the United Nations General Assembly during the forty-eighth session of the Assembly (resolution 48/2 of 13 October 1993).

Since the adoption of resolution 48/2, significant progress has been achieved in promoting cooperation between ECO and several United Nations agencies, as briefly mentioned below.

1. Economic and Social Commission for Asia and the Pacific

Within the framework of a Memorandum of Understanding signed between the two organizations, ESCAP has been participating actively in the activities of ECO, especially in the field of transport and communications. ESCAP made valuable contributions in the Almaty meeting of the ECO Transport Ministers held in October 1993, to draw up an outline plan for the development of the transport sector in the ECO region. ESCAP also sponsored a consultative meeting of the executive heads of Asia's five subregional organizations, ECO, the Association

of South-East Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC), the South Pacific Forum and ESCAP, held at Bangkok in February 1994. In view of the mutuality of their socio-economic goals, the five organizations decided to institutionalize the process of consultative meetings of their executive heads on an annual basis in order to identify and pursue the possibilities of inter-subregional cooperation. Accordingly, the Second Annual Consultative Meeting of the Executive Heads of Asia's Subregional Organizations and the Acting Executive Secretary of ESCAP was held at Jakarta on 27 and 28 January 1995.

ESCAP also sponsored the Seminar on the Implications of Accession to the International Conventions on Road and Rail Transport, held at Tehran in November 1994. The Expert Group Meeting on Inter-subregional Cooperation in Trade and Investment was held at Bangkok in September 1994, which provided a useful opportunity for the participants to evaluate the implications of the Uruguay Round for subregional trading arrangements.

At present, ECO and ESCAP are seeking to cooperate closely in organizing the following three activities:

(a) A round-table conference on investment promotion in the mining industry and minerals trade in the ECO countries;

(b) Preparation of a study of the economies of ECO countries in order to evolve an overall strategy to develop resources of ECO countries;

(c) Development of a project formulation framework for the development of a draft transit treaty for the ECO region.

2. United Nations Children's Organization

ECO and UNICEF have also jointly launched a mutually beneficial programme of cooperation beginning with an ECO/UNICEF/World Health Organization (WHO)-sponsored meeting of the ECO Health Ministers, held at Tehran in January 1994, and the signing of a Memorandum of Understanding between ECO and UNICEF. Pursuant to this cooperative programme, ECO and UNICEF organized three workshops, on iodine deficiency disorders, breast-feeding and oral rehydration therapy, during the preceding year.

3. United Nations Industrial Development Organization

ECO signed a Memorandum of Understanding on cooperation with UNIDO in January 1994. UNIDO is considering co-sponsoring with ECO a regional conference on industrial pollution control proposed to be held at Tehran in 1995.

4. United Nations Population Fund

ECO and UNFPA signed a Memorandum of Understanding for mutual cooperation in October 1994, on the occasion of the forty-ninth session of the United Nations General Assembly. In pursuance of the joint cooperative programme, ECO and UNFPA will be organizing three regional seminars/workshops on different aspects of the promotion of population welfare in the ECO region.

5. United Nations Development Programme

ECO and UNDP signed a Memorandum of Understanding for mutual cooperation on the occasion of the Third ECO Summit Meeting, held at Islamabad in March 1995. The envisaged cooperation aims at supporting efforts of the member States of the two organizations to promote regional cooperation and sustainable human development through programmes and activities designed to mobilize and enhance human resources, to promote the environmentally sound use of natural and mineral resources and raise the living standards of the peoples in the countries concerned.

6. Food and Agriculture Organization of the United Nations

FAO and ECO have already established a cooperative relationship in areas of mutual interest through an exchange of letters.

7. International Drug Control Programme

In view of the special importance attached by ECO to the control of drug abuse and illegal trafficking, a comprehensive regional plan has been developed for implementation with the help of concerned international agencies and regional organizations. A Memorandum of Understanding was also signed for cooperation in this field with the Programme on the occasion of the Third ECO Summit Meeting at Islamabad.

8. United Nations Educational, Scientific and Cultural Organization

ECO and UNESCO are in the process of finalizing a Memorandum of Understanding for mutual cooperation in the fields of education, science and culture.

APPENDIX

Draft resolution

Cooperation between the United Nations and the Economic Cooperation Organization

The General Assembly,

Recalling its resolution 48/2 of 13 October 1993, by which it granted observer status to the Economic Cooperation Organization,

Recalling also that the purposes of the United Nations are, inter alia, to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian nature,

Recalling further that the Charter of the United Nations provides for the existence of regional arrangements or agencies for dealing with such matters as maintenance of international peace and security as are appropriate for regional action and other activities consistent with the purposes and principles of the United Nations,

Bearing in mind that the Treaty of Izmir, signed at Izmir, Turkey, on 12 March 1977, which created a permanent body for intraregional cooperation, consultation and coordination in order to enhance economic, social and cultural development,

Taking note of the communiqué of the Third Meeting of the Heads of Government of the Member States of the Economic Cooperation Organization, held in Pakistan on 14 and 15 March 1995,

Affirming the need to strengthen the cooperation that already exists between entities of the United Nations system and the Economic Cooperation Organization in the areas of economic and social development,

Convinced of the need for the coordinated utilization of available resources to promote common objectives of the two organizations,

1. Takes note of the decision of the Heads of Government of the member States of the Economic Cooperation Organization on the desirability of strengthening cooperation and coordination between the Secretariat of the United Nations and the Economic Cooperation Organization;

2. Invites the Secretary-General of the United Nations to take the necessary measures, in consultation with the Secretary-General of the Economic Cooperation Organization, to promote and expand cooperation and coordination between both Secretariats in order to increase the capacity of the two Organizations to attain their common objectives;

3. Requests the Secretary-General of the United Nations, in consultation with the Secretary-General of the Economic Cooperation Organization, to promote

meetings between their representatives for consultation on policies, projects, measures and procedures that will facilitate and broaden cooperation and coordination between them;

4. Urges the specialized agencies and other organizations and programmes of the United Nations system to cooperate with the Secretary-General of the United Nations and the Secretary-General of the Economic Cooperation Organization in order to initiate, maintain and increase consultation and programmes with the Economic Cooperation Organization and its associated institutions in the attainment of their objectives;

5. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on the implementation of the present resolution;

6. Decides to include in the provisional agenda of its fifty-first session the item entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

UNITED NATIONS **A**

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10 July 1995
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Fiftieth session

REQUEST FOR INCLUSION OF AN ADDITIONAL ITEM IN THE PROVISIONAL AGENDA FOR THE FIFTIETH SESSION

"WHITE HELMETS" INITIATIVE, PARTICIPATION OF VOLUNTEERS IN ACTIVITIES OF THE UNITED NATIONS IN THE FIELD OF HUMANITARIAN RELIEF, REHABILITATION AND TECHNICAL COOPERATION FOR DEVELOPMENT

Letter dated 29 June 1995 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On behalf of the Government of the Argentine Republic and in accordance with rule 13 (e) of the rules of procedure of the General Assembly, I have the honour to request the inclusion, in the context of consideration of the item relating to the "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", of a sub-item entitled "'White Helmets' initiative, participation of volunteers in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development" in the provisional agenda of the General Assembly at its fiftieth session.

In accordance with rule 20 of the rules of procedure, I attach an explanatory memorandum in connection with my Government's request.

(Signed) Emilio J. CÁRDENAS
Permanent Representative

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Annex

EXPLANATORY MEMORANDUM

In October 1993 the President of the Argentine Republic launched a global initiative for the creation of national volunteer groups, called "White Helmets", whose objective would be to make men and women of good will available to the United Nations, with the aim of strengthening the reserve capacity of developing countries in support of United Nations activities in the field of emergency humanitarian assistance and the gradual transition from relief to rehabilitation, reconstruction and development.

This initiative, which was supported by a number of heads of State and was favourably considered by several agencies, led Argentina, together with 65 other countries, to submit to the General Assembly at its forty-ninth session a draft resolution intended to establish the institutional framework for the United Nations, through its system of volunteers and under its coordination, to provide a vehicle for the initiative. This process culminated in the adoption by consensus of General Assembly resolution 49/139 B in December 1994.

In turn, since the adoption of resolution 41/139 B and its subsequent reaffirmation in the Programme of Action adopted at the World Summit for Social Development in Copenhagen, Argentina, in coordination with other countries, has been working to arrange trials for the use of White Helmets in places and zones affected by emergency situations. In this regard it is anticipated that White Helmets will soon be deployed in Haiti, in support of United Nations activities in the field.

Resolution 49/139 B, in addition to setting out terms of reference for the use and creation of suitable arrangements for their recruitment, training and deployment, established a process of political follow-up which led to the submission of a report to the appropriate segment of the Economic and Social Council in 1995. This report, prepared on the basis of replies received from a number of Governments, United Nations system agencies, non-governmental organizations and international bodies, synthesizes and presents arrangements for the use of these volunteers for consideration by Member States.

- Resolution 49/139 B also requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution, in the context of debate on the strengthening of the coordination of emergency humanitarian assistance of the United Nations.

In accordance with the foregoing, and bearing in mind from a formal and substantive viewpoint the content of the report submitted to the Economic and Social Council and that which the Secretary-General is to submit to the General Assembly at its fiftieth session on the implementation of resolution 49/139 B, we are of the view that discussion of the item requires it to be dealt with separately from the overall subject of humanitarian assistance, for which reason the Argentine Government is proposing the inclusion of a sub-item under the item "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance",

entitled "'White Helmets' initiative, participation of volunteers in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development", so that the States Members of the United Nations may have an opportunity to continue the work begun at the forty-ninth session of the General Assembly.

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

CONSIDERATION OF THE EXCEPTIONAL SITUATION OF THE REPUBLIC OF CHINA ON TAIWAN IN THE INTERNATIONAL CONTEXT, BASED ON THE PRINCIPLE OF UNIVERSALITY AND IN ACCORDANCE WITH THE ESTABLISHED MODEL OF PARALLEL REPRESENTATION OF DIVIDED COUNTRIES AT THE UNITED NATIONS

Letter dated 18 July 1995 from the representatives of Burkina Faso, the Central African Republic, Costa Rica, Dominica, the Dominican Republic, Grenada, Guinea-Bissau, Saint Lucia, Saint Vincent and the Grenadines, Guatemala, Nicaragua, the Niger, Panama, Solomon Islands and Swaziland to the United Nations addressed to the Secretary-General

On instructions from our respective Governments, we have the honour to request you, pursuant to rule 13 of the rules of procedure of the General Assembly, to include an item in the agenda of the fiftieth session of the General Assembly entitled "Consideration of the exceptional situation of the Republic of China on Taiwan in the international context, based on the principle of universality and in accordance with the established model of parallel representation of divided countries at the United Nations". Pursuant to rule 20 of the rules of procedure of the General Assembly, we attach an explanatory memorandum (see annex I) and a draft resolution (see annex II). 1/

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(Signed) Gaëtan Rimwanguiya OUEDRAOGO
Permanent Representative of
Burkina Faso

(Signed) Henry KOBA
Permanent Representative of the
Central African Republic

(Signed) Fernando BERROCAL SOTO
Permanent Representative of
Costa Rica

(Signed) Simon Paul RICHARDS
Chargé d'affaires a.i. of the
Permanent Mission of Dominica
to the United Nations

(Signed) Alfonso CANTO
Permanent Representative of the
Dominican Republic

(Signed) George B. BRATHWAITE
Chargé d'affaires a.i. of the
Permanent Mission of Grenada
to the United Nations

(Signed) M. Mario LOPES da ROSA
Chargé d'affaires a.i. of the
Permanent Mission of Guinea-Bissau
to the United Nations

(Signed) George William ODLUM
Permanent Representative of
Saint Lucia

(Signed) Herbert G. V. YOUNG
Permanent Representative of
Saint Vincent and the Grenadines

(Signed) Julio Armando MARTINI HERRERA
Permanent Representative of Guatemala

(Signed) Erich VILCHEZ ASHER
Permanent Representative of Nicaragua

(Signed) Adamou SEYDOU
Permanent Representative of the Niger

(Signed) Ruth DECEREGA SMITH
Chargé d'affaires a.i. of the
Permanent Mission of Panama to the
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(Signed) Rex Stephen HOROI
Permanent Representative of
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Permanent Representative of
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Notes

1/ The document has been reproduced as received. The designations employed do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory or area, or of its authorities.

Annex I

EXPLANATORY MEMORANDUM

1. For a period of 22 years, from 1950 to 1971, the United Nations considered the question of the representation of two politically dissimilar entities in China. The question, which was considered against the background of political and ideological confrontation created by the cold war and its bipolar divisions, generated a certain amount of difficulty because it also involved legal, political and procedural elements which complicated the issue. In the General Assembly, some States advocated the admission of the People's Republic of China as a new Member, while the latter country and its supporters insisted that the question to be settled was the representation of China. In October 1971, at its twenty-sixth session, the United Nations General Assembly adopted resolution 2758 (XXVI), which decided that China's seat at the United Nations would be taken by the People's Republic of China on the Chinese mainland. That resolution excluded the Republic of China on Taiwan from the United Nations.

2. As a matter of fact, General Assembly resolution 2758 (XXVI) is a product of ideological confrontation during the cold war era. The resolution only provides for the international representation of Chinese people on the Chinese mainland, that is, territory under the jurisdiction of the People's Republic of China. It also deprives the representation of 21 million people under the jurisdiction of the Republic of China on Taiwan. This exclusion seriously violates the principle of universality that is the foundation of the United Nations. As a result, the Republic of China on Taiwan and its 21 million people are prevented from leading a normal life in the international community. The following are some prominent examples:

(a) International economic, trade and development cooperation: As the world's fourteenth largest trading nation and the sixth largest outbound investor, the Republic of China on Taiwan is willing to share its own development experience and achievements with the international community and has already offered to developing countries financial and technical assistance for development projects. Since 1962, the Republic of China on Taiwan has also offered vocational training courses in agriculture, land reform, industrial technique, trade, small and medium enterprises development, taxation, customs and scientific technology to approximately 7,500 trainees from 80 countries. But the Republic of China on Taiwan is still unable to join many development programmes sponsored by the United Nations Development Programme (UNDP), and participate in the International Monetary Fund (IMF) and the World Bank.

(b) International human rights cooperation: The Republic of China on Taiwan was prevented from attending international human rights activities, such as the 1993 World Conference on Human Rights held at Vienna and was excluded from helping to draft, or becoming a party to several human rights conventions, such as the Convention on the Elimination of Discrimination against Women in 1979 and the Convention on the Rights of the Child in 1989. As a result, the fundamental rights of the 21 million people of the Republic of China on Taiwan to participate in international activities and human rights conventions were continually ignored.

(c) International disaster relief and humanitarian assistance: The Republic of China on Taiwan has participated actively in international disaster relief and humanitarian aid operations. From July 1990 to March 1995, the Republic of China on Taiwan has directly or indirectly provided disaster relief and humanitarian aid of US$ 124 million to over 60 countries. But the Republic of China on Taiwan still is unable to participate in operations of the United Nations agencies, such as the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF).

(d) Environmental protection, sustainable development and multilateral efforts against narcotic drugs: The Republic of China on Taiwan was prevented from becoming a contracting party to international conventions on ecological and environmental protection, such as the United Nations Framework Convention on Climate Change and the Montreal Protocol on Substances that Deplete the Ozone Layer. The Republic of China on Taiwan has taken measures in ecological and environmental protection in keeping with the aforementioned international conventions, but was forced to live under the shadow of trade sanctions imposed by the Protocol. In addition, the Republic of China on Taiwan abides by the principles and spirit of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, and is willing to play a more active role in the international campaign against drug abuse and trafficking. But the Republic of China on Taiwan can neither become a party to the convention, nor participate in its relevant activities.

3. General Assembly resolution 2758 (XXVI) does not constitute a comprehensive, reasonable and just solution to the question of representation of the Chinese people in the United Nations that arose from China's division in 1949 which continued until today for almost half a century. The division of China originates in the establishment of the People's Republic of China on the Chinese mainland by Chinese communists in 1949. Meanwhile the Republic of China, established in 1912, moved its seat of government to Taiwan and has since continued to exercise effective rule over its territories of Taiwan, Penghu (Pescadores), Kinmen (Quemoy) and Matsu. Presently, the Republic of China on Taiwan is an independent political and legal entity with a democratic system of government and its own institutions, laws, and security and defence arrangements; all these elements distinguish the Republic of China on Taiwan from the People's Republic of China on the Chinese mainland as two separate but equal political entities. Each enjoys a number of diplomatic and commercial relationships world wide and exercises exclusive full jurisdiction over a specific and separate territory. Although the division of China is unfortunate for all Chinese, it is still unpredictable as to when and under what conditions China will be reunified. Prior to the unification of China, the two independent political entities across the Taiwan Straits should respect each other in the international community and participate together on an equal footing in international organizations and activities. Such mutual respect will help to gradually build confidence between the two sides and create a favourable environment for the unification of China.

4. In the United Nations, there are precedents for parallel representation of divided countries. Former East and West Germany, as well as both North and South Korea, were admitted simultaneously into the United Nations. Of these divided countries, former East and West Germany achieved national unification in

1990, which demonstrates that parallel representation of divided countries in the United Nations does not impede eventual unification of the parties involved. On the contrary, it may help to reconstruct mutual trust between them. Currently, the Republic of China on Taiwan and the People's Republic of China are full members of the Asian Development Bank (AsDB) and the Asia-Pacific Economic Cooperation (APEC). Both are observers representing separate territories in the General Agreement on Tariffs and Trade (GATT), to which they are simultaneously negotiating accession. After their accession, they will become members of the World Trade Organization (WTO). The international community should therefore encourage and support the parallel representation of divided countries in the United Nations and all other international organizations.

5. After the horror and bloodshed of the Second World War, nations formed the United Nations; its mission was to right past wrongs and prevent future tragedy. That was 50 years ago when the founding nations, including the Republic of China, agreed to make a pact to save succeeding generations from the scourge of war and to reaffirm faith in fundamental human rights. Only within its half-life, the United Nations in 1971 excluded the people of the Republic of China on Taiwan. Twenty-five years later, the United Nations is celebrating its 50th anniversary and the Republic of China on Taiwan's 21 million inhabitants are still unrepresented. The participation of the Republic of China on Taiwan in the United Nations involves a vital issue - the United Nations integrity and viability in the upcoming twenty-first century; integrity because the collective human rights of 21 million people deserve respect; viability because the United Nations needs all the world's people to face the complex challenges of the post-cold-war era. The full participation of the Republic of China on Taiwan in the United Nations and its multilateral programmes undeniably would result in more comprehensive benefits for the promotion of international peace and prosperity.

6. In 1993 and 1994, representatives from 7 and 12 countries requested in co-signed letters to the Secretary-General (A/48/191 and A/49/144 respectively), that the General Assembly examine the exceptional situation of the Republic of China on Taiwan and its participation in the United Nations; it proposed that an ad hoc committee be established to study the issue. This proposal was only a procedural matter asking Member States to analyse the issue from a true perspective of reality and with an open frame of mind. The proposal did not preordain any position. As an open forum, the United Nations should be able to examine any issue in the international community. Preventive diplomacy prescribes that the most desirable and efficient employment of diplomacy is to ease tensions before they result in conflict. The examination of the Republic of China on Taiwan's situation by the United Nations completely conforms with the principles and spirit of preventive diplomacy. The proposed items, however, were not placed on the agenda of the forty-eighth and forty-ninth sessions of the General Assembly. But as the issue still remains, Members of the United Nations ought to consider, as early as possible, the global benefits that an ad hoc committee would produce by analysing comprehensively the exceptional situation of the Republic of China on Taiwan and its future ramifications on the United Nations and the world.

Annex II

DRAFT RESOLUTION

The General Assembly,

Recalling its resolution 2758 (XXVI) of 25 October 1971 on the representation of China at the United Nations and noting that since then, as a result of that resolution, the Republic of China on Taiwan has not been part of the Organization,

Recognizing that the Republic of China on Taiwan is a responsible member of the international community, with a stable political system and a dynamic economy, whose participation in the United Nations would benefit the international community,

Affirming the need to recognize and fully respect the fundamental rights of the 21 million Chinese, who are politically organized as the Republic of China, on the territories of Taiwan, Penghu (Pescadores), Kinmen (Quemoy) and Matsu,

Noting the declarations made by the Government of the Republic of China on Taiwan that it is willing to accept the obligations laid down in the Charter of the United Nations and to contribute to the promotion and maintenance of international peace and security,

Convinced of the need to find, in accordance with the spirit of the Charter and the principle of universality, a peaceful and voluntary solution to the problem posed by the Republic of China on Taiwan within the framework of the United Nations,

1. Decides to establish an ad hoc committee consisting of ... Member States, to be appointed by the General Assembly, whose mandate will be to analyse comprehensively all aspects of the exceptional situation and make appropriate recommendations to the General Assembly at its fifty-first session;

2. Urges all Member States to assist the committee in fulfilling its mandate.

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

OBSERVER STATUS FOR THE CENTRAL AMERICAN INTEGRATION SYSTEM IN THE GENERAL ASSEMBLY

Letter dated 18 July 1995 from the representatives of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama to the United Nations addressed to the Secretary-General

On instructions from our respective Governments, we hereby request, as representatives of the States parties to the Tegucigalpa Protocol to the Charter of the Organization of Central American States (ODECA), that a new item entitled "Observer status for the Central American Integration System in the General Assembly" be included in the agenda of the fiftieth session of the General Assembly, pursuant to rule 13 of that body's rules of procedure.

In accordance with rule 20 of the rules of procedure of the General Assembly, we are submitting herewith an explanatory memorandum (see annex) and the relevant draft resolution (see appendix).

(Signed) José Manuel GUTIÉRREZ
Chargé d'affaires a.i. of the
Permanent Mission of Costa Rica
to the United Nations

(Signed) Gerardo MARTÍNEZ BLANCO
Permanent Representative of Honduras
to the United Nations

(Signed) Ricardo G. CASTANEDA-CORNEJO
Permanent Representative of
El Salvador to the United Nations

(Signed) Erich VÍLCHEZ ASHER
Permanent Representative of Nicaragua
to the United Nations

(Signed) Julio MARTINI HERRERA
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Permanent Representative of Panama
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Annex

Explanatory memorandum

I. THE CENTRAL AMERICAN INTEGRATION SYSTEM

The reorganization of the Central American integration process resulted in the Tegucigalpa Protocol to the Charter of the Organization of Central American States (OCAS), a/ signed on 13 December 1991. This Protocol established the Central American Integration System (SICA), which began operations on 1 February 1993.

The new vision of Central American development sees SICA as the regional organization best equipped to meet current needs, since its objectives and principles reflect political, social, economic and cultural conditions in the Central American countries, as well as the traditions and deepest aspirations of their peoples. Moreover, SICA was designed on the basis of past experience in terms of economic integration and the crisis of the 1980s, the peace process which has the support of the Central American people and the changes introduced in national constitutions with a view to fashioning a region of peace, freedom, democracy and development in Central America, as well as the comprehensive development strategy known as the Alliance for Sustainable Development. b/

This new regional situation, epitomized by SICA, is that of a more open, stable and democratic Central America.

More open, because in addition to reaffirming our ties with the United Nations and the Organization of American States (OAS), we have devised mechanisms and strategies for broadening and intensifying the region's participation in the international arena.

More stable, because we now have definite, clearly formulated objectives and principles to steer the course of regional action and of political thinking and decision-making in Central America. These objectives and principles are spelled out in the Tegucigalpa Protocol to guide the search for ways to ensure the overall well-being and sustainable development of Central Americans; they include the goal of fashioning a region of peace, freedom, democracy and development in Central America, whose security will be based primarily on the strengthening of civilian government, the elimination of extreme poverty, the promotion of sustained development, protection of the environment and the eradication of corruption, violence, terrorism and trafficking in drugs and arms.

To achieve that objective, the fundamental and legitimate basis for all regional actions must be protection of, respect for and promotion of human rights. Without that underpinning, the legal and political structure of SICA would have no foundation or purpose.

With the institution of SICA, integration is no longer sectoral - that is, commercial and economic - but comprehensive, meaning that it extends to the

economic, social, cultural and political spheres and seeks to promote their harmonious and balanced development.

Consequently, SICA comprises four sub-systems: economic, social, cultural and political. Environmental conservation and the building of a new ecological order in the region is another objective of the System and constitutes the basic pillar of the comprehensive human development strategy known as the Alliance for Sustainable Development.

Thus, the general coordination of all of these sub-systems is the linchpin of integration efforts, and has been entrusted to the Council of Ministers for Foreign Affairs and, on an ongoing basis, to the General Secretariat of SICA. These bodies follow up on regional decisions and policies, prepare documentation for political decision-making and ensure the proper observance and implementation of the Tegucigalpa Protocol.

The immediate objective of this overall coordination, which is carried out jointly and with due respect for each sub-system's functional autonomy, is to guarantee development, as well as unity and coherence in Central American intraregional activities and in relations with third States, groups of States and international organizations.

The Meeting of Central American Presidents is the supreme organ of SICA with respect to decisions concerning development, freedom, peace and security.

These decisions are followed up by the Councils of Ministers and the General Secretariat, which is also the Permanent Secretariat of the Meeting of Central American Presidents, and by the specialized technical secretariats, with the support of the integration institutions of the different sub-systems.

The Meeting of Vice-Presidents acts as an advisory and consultancy organ for the Meeting of Presidents.

Another main body is the Central American Parliament, which acts as an organ for exposition, analysis and recommendation under its Constituent Treaty.

In order to institute legal safeguards to preserve the rule of law in the region, the Central American Court of Justice was established to guarantee respect for the Tegucigalpa Protocol and its supplementary instruments and acts pursuant to it. The Court is the main judicial organ of SICA.

To strengthen the chances of success of regional action by making it consistent, lasting and reliable and by responding to the deeply felt needs and fully recognized aspirations of Central Americans, SICA has a Consultative Committee which provides a forum for the democratic and institutional participation of the community, at the level of private or non-governmental institutions organized regionally in Central America.

Regarding the significance of SICA, on 15 June 1994, in their joint declaration to the Fourth Ibero-American Summit of Heads of State and Government, the Presidents of the Central American States said the following:

Thanks to the will of its peoples and Governments, Central America has established a firm and lasting peace based upon dialogue, democracy, justice and reconciliation. Thus, it has overcome a crisis which originated in the region itself, but was exacerbated by the cold war and the confrontation between the super-Powers.

The fruits of that effort can now be seen in improved levels of stability and in the creation and implementation of the Central American Integration System (SICA), accompanied by the consolidation of democratic institutions born of the free expression of the will of the people in fair and open elections. This auspicious situation places Central America in an exceptional position among those regions of the world which have, during the past 10 years, gone through a difficult process of democratic transition. It also enables our region to move forward from an agenda for peace towards an agenda for sustainable human development, which is the main objective that our peoples must pursue in the interests of guaranteeing continued progress.

This position was reiterated at the fifteenth Meeting of Presidents of Central America, in Guácimo, Costa Rica, on 20 August 1994 when they stated that: c/

"Central America has changed. In the short time that has elapsed since the Esquipulas I agreement, Central Americans have almost completely succeeded in containing the political violence that had ravaged several countries in the region; democracies have been established and transformed; respect for human rights has been strengthened, and the new regional integration system has been defined."

II. THE CENTRAL AMERICAN INTEGRATION SYSTEM AND ITS INTERNATIONAL RECOGNITION

SICA enjoys international recognition. As an example, at their meeting in Brazil, on 15 and 16 July 1993, the Ibero-American Heads of State and Government stated: d/

"We recognize the importance of the entry into force, on 1 February 1993, of the Central American Integration System (SICA), under the Tegucigalpa Protocol, whose main objective is to establish Central America as a region of democracy, development, peace and freedom, based principally on the respect, safeguard and promotion of human rights. We exhort the States and international organizations involved to cooperate effectively so that SICA promotes and strengthens the subregional integration of Central America and achieves its basic aim."

For its part, on 10 June 1994, the General Assembly of the Organization of American States adopted a resolution (AG/Doc.3157/94), welcoming the signing of the Cooperation Agreement between the General Secretariat of the Organization and the General Secretariat of SICA and calling for the establishment of a programme of cooperation between the two organizations.

On 20 September 1994 the United Nations Conference on Trade and Development (UNCTAD) recognized SICA as an entity having consultative status.

III. THE CENTRAL AMERICAN INTEGRATION SYSTEM AND THE UNITED NATIONS

SICA is the successor to OCAS, which was established by the Charter of San Salvador, signed on 12 December 1962 by five Central American States. As such, it is also a regional arrangement within the meaning of Chapter VIII of the United Nations Charter. Its influence also extends into the field of activity covered in Chapter IX (Articles 55 and 56).

The relationship between the United Nations and SICA is one of complementarity, since the United Nations is an organization of a universal nature and SICA is a subregional integration organization one of whose basic principles is respect for the principles and norms of the United Nations Charter.

The United Nations will strengthen the realization of its aims and purposes at the international level by effectively coordinating its world-wide activities with those of subregional organizations, in this case, with SICA.

The participation of SICA as an observer in the General Assembly of the United Nations will help the subregional organization reaffirm and consolidate Central American self-determination in external affairs, through a common strategy which will strengthen the participation of the region as a whole in the international field.

In its resolution 49/137 of 19 December 1994, entitled "The situation in Central America: Procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development", the General Assembly declared that it was aware of the importance of supporting the efforts of the Central American Governments for the consolidation of a firm peace in Central America, and that the Central American Integration System constituted the institutional framework for subregional integration through which integrated development could be promoted in an effective, orderly and coherent manner.

It went on to emphasize the functioning of the Central American Integration System since 1 February 1993 and the registry of the Tegucigalpa Protocol with the United Nations Secretariat, expressed its full support for the efforts made by the Central Americans to stimulate and broaden the integration process in the context of the Central American Integration System, and called on Member States and international organizations to provide effective cooperation to Central America so that it might steadily promote and strengthen subregional integration and achieve its fundamental goal (resolution 49/137, preamble and para. 5). Resolution 48/161 of 20 December 1993, adopted by the Assembly at its forty-eighth session, referred to SICA in the same terms.

Notes

a/ A/46/829-S/23310, annex III.

b/ A/49/580-S/1994/1217, annex I.

c/ see A/49/340-S/1994/994, annex.

d/ A/48/291-S/26242, annex.

APPENDIX

Draft resolution

Observer status for the Central American Integration System in the General Assembly

The General Assembly,

Considering that the Tegucigalpa Protocol, a/ registered with this Organization, modifies the purposes and principles and the institutional structure of Central America, formerly established as the Organization of Central American States, and institutes the Central American Integration System,

Noting that the Central American Integration System establishes respect for the purposes and norms of the Charter of the United Nations as one of its fundamental principles,

1. Decides to invite the Central American Integration System to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. Requests the Secretary-General to take the necessary action to implement this resolution.

Notes

a/ A/46/829-S/23310, annex III.

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

MULTILINGUALISM

Letter dated 20 July 1995 from the representatives of Belgium, Burundi, Cape Verde, Djibouti, Egypt, France, Greece, Guinea-Bissau, Mauritius, Monaco, Morocco, Niger, Portugal, Romania, Senegal, Togo, Tunisia and Viet Nam to the United Nations addressed to the Secretary-General

In conformity with rule 13 (e) of the rules of procedure of the General Assembly, we have the honour to request the inclusion in the agenda of the fiftieth session of the General Assembly of an additional item entitled "Multilingualism".

An explanatory memorandum (see annex) and a draft resolution (see appendix) in support of the above request are attached to this letter, in accordance with rule 20 of the rules of procedure of the General Assembly.

(Signed) Alex REYN
Permanent Representative of Belgium
to the United Nations

(Signed) Melchiade BUKURU
Chargé d'affaires a.i. of the
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Permanent Representative of Cape Verde
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Permanent Representative of Morocco
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Permanent Representative of France
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Permanent Representative of
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Permanent Representative of Mauritius
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(Signed) Kéba Birane CISSÉ
Permanent Representative of Senegal
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(Signed) Biova-Soumi PENNANEACH
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Chargé d'affaires a.i. of the
Permanent Mission of Viet Nam
to the United Nations

ANNEX

Explanatory memorandum

The fiftieth anniversary of the United Nations should serve to remind us of the fundamental importance of the diversity of cultures in the development of a rich and harmonious international life. On this principle there is general agreement.

In accordance with the rules of procedure of the General Assembly, this principle should be reflected in the Organization's functioning in the equal treatment accorded to the official and working languages of the United Nations.

It sometimes happens, however, that this essential principle of equality is not respected in the different bodies. Various justifications are cited: financial reasons, the unavailability of interpretation or translation services, the urgent nature of the work at hand, and so on.

In the heat of the moment, some delegations may be tempted not to react when asked to waive their right to work in the official language of the Organization chosen by them and to be provided with documentation in that language. In the long term, however, this waiver has a particularly nefarious effect in that it is the embryonic form of a tendency to accept a virtually monolingual United Nations.

Far from being simpler, cheaper or better, failure on the Organization's part to respect the multilingualism which is its rule and which it should strictly enforce would necessarily lead to the decline and impoverishment of discussions, to the development of stereotypes, to bureaucracy and to a waning of the interest of peoples in the United Nations.

It would be wrong, however, to fall into the trap of believing that such a trend is inevitable. All that is required is vigilance to insist at all times that Member States should receive from the Organization the service to which they are entitled under the constitutional texts. This means, in particular, that the Secretariat should make it a rule to employ in its relations with Member States the official language which the latter choose to use. This requirement naturally has implications in terms of the linguistic skills which should rightfully be expected from staff of the United Nations. It may be useful to recall this unequivocally.

It is noticeable that the staffing of the interpretation and translation services has not expanded at the same rate as the increase in the activities of the various United Nations bodies over the past few years. As a result, there are delays in making documents available in the official languages and meetings are postponed because of the lack of teams of interpreters. All this hampers the proper functioning of the Organization and gives the impression that the delegations which insist on having the services required for the meaningful practice of multilingualism are troublemakers who are overly intransigent. This is a very serious perversion of the system and the only way to avoid it is for the interpretation and translation services to have staff and resources which,

despite budgetary constraints, remain adequate to deal with the increasing workload.

The practice of holding "informal" meetings without interpretation or circulating "unofficial" documents in one language only can in no way be an acceptable solution to these shortcomings.

Cultural and linguistic diversity is a responsible choice which the United Nations is perfectly able to make if it exhibits in this regard the far-sightedness and determination that are necessary in order to avoid taking the easy way out. The resolution submitted by the signatories is intended precisely to recall this constant objective, this requirement which is particularly relevant at the dawn of the second fifty years of the Organization's existence.

APPENDIX

Draft resolution

Multilingualism

The General Assembly,

Recalling its resolutions 2 (I) of 1 February 1946, 2241 B (XXI) of 20 December 1966, 2292 (XXII) of 8 December 1967, 2359 B (XXII) of 19 December 1967, 2479 (XXIII) and 2480 B (XXIII) of 21 December 1968, 3189 (XXVIII), 3190 (XXVIII) and 3191 (XXVIII) of 18 December 1973 and 43/224 D of 21 December 1988,

Recalling also, on the occasion of the commemoration of the fiftieth anniversary of the signing of the United Nations Charter, that the universality of the United Nations and its corollary of multilingualism require each State Member of the Organization, whatever the official or working language in which it expresses itself, to make itself understood just as it should endeavour to understand others,

Stressing the need for strict observance of the resolutions and rules establishing language arrangements for the different bodies and organs of the United Nations,

Regretting that unequal use is made of the different working languages and official languages within the United Nations, and desiring that persons recruited by the Organization should have a command of and make use of at least one working language and one official language,

Considering that the translation and interpretation budgets of United Nations bodies should be commensurate with requirements and exempt from any restrictive budgetary measures, as recalled in resolution 42/207 C of 11 December 1987,

Noting that the principle of equality of the official languages and of the working languages is being called into question with increasing frequency by the holding of so-called "reduced cost" informal meetings,

1. Invites Member States and the Secretary-General to ensure the strict application of the resolutions establishing language arrangements;

2. Recalls that the Secretariat is required, in its relations with Member States, to use the official or working language requested by these States;

3. Invites the Secretary-General to ensure that, in conformity with resolution 2480 B (XXIII), personnel recruited by the different bodies of the Organization have a command of and make use of at least one working language and one official language;

4. Stresses the need to ensure, in particular by the training and recruitment of specialists, that the necessary resources are available to guarantee the timely translation of documents into the different official and working languages of the United Nations;

5. Recalls the need to ensure the simultaneous distribution of these documents in the official and working languages of the Organization;

6. Stresses the usefulness of ensuring that adequate publications and data banks in the different official and working languages are available to the libraries and documentation centres of the various bodies;

7. Requests the delegations of Member States and the Secretariat to limit the holding of informal meetings without interpretation;

8. Requests the Secretary-General to submit to it at its fifty-second session a report on the implementation of this resolution, and on the use of the official and working languages of the United Nations.

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REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

COOPERATION BETWEEN THE UNITED NATIONS AND THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION

Letter dated 20 July 1995 from the representatives of Belgium, Burundi, Cape Verde, Djibouti, France, Greece, Guinea-Bissau, Mauritius, Monaco, the Niger, Portugal, Romania, Senegal, Togo, Tunisia and Viet Nam to the United Nations addressed to the Secretary-General

In accordance with rule 13 (e) of the rules of procedure of the General Assembly, we have the honour to request the inclusion in the agenda of the fiftieth session of the General Assembly of an additional item entitled "Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation".

An explanatory memorandum (see annex) and a draft resolution (see appendix) in support of the above request are attached to this letter, in accordance with rule 20 of the rules of procedure of the General Assembly.

(Signed) Alex REYN
Permanent Representative of
Belgium to the United Nations

(Signed) Melchiade BUKURU
Chargé d'affaires a.i. of the
Permanent Mission of Burundi
to the United Nations

(Signed) José Luis Barbosa LEAO MONTEIRO
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ANNEX

Explanatory memorandum

1. By its resolution 33/18 of 10 November 1978, the General Assembly granted the Agency for Cultural and Technical Cooperation (ACTC) observer status in the Assembly.

2. Uniting 44 countries and Governments that use the French language, ACTC is the sole intergovernmental organization representing the French-speaking world. It is the expression of a new solidarity and is an additional means of bringing peoples closer together through a permanent dialogue between cultures and respect for the sovereignty and cultural identity of its members.

3. In addition to the forum for dialogue and South-South and North-South cooperation that it provides, since it brings together countries and Governments of Africa, Europe, America and Asia (nearly one out of every four countries in the world), ACTC engages in multilateral cooperation among its members in areas of interest to the United Nations, including the following:

(a) Law in the service of development and democracy (legal and judicial cooperation, protection and promotion of human rights, support for democratic processes and parliamentary and judicial institutions ...);

(b) Education and training;

(c) Culture and communication;

(d) Technical cooperation and economic development (particularly in the fields of energy, environment and scientific and technical information).

4. As part of its activities, ACTC has entered into relations and concluded agreements with a number of agencies of the United Nations system; these agreements have resulted in cooperative activities in the countries members of ACTC, especially in the following areas:

(a) Observation of elections;

(b) Strengthening of national and regional institutions in support of the democratic process;

(c) Promotion of human rights;

(d) Promotion of the rights of the child;

(e) Economic development;

(f) Environment;

(g) Energy;

(h) Literacy campaigns;

(i) Support for educational systems;

(j) Protection of heritage.

5. Moreover, through its political organs, namely, the Francophone Conference of Heads of State and Government, the Ministerial Conference of French-speaking Countries and the Permanent Council of French-speaking Countries, ACTC promotes and supports the participation of its member countries in meetings and conferences organized under United Nations auspices. These include the following:

(a) World Summit for Children (New York, 1990);

(b) United Nations Conference on Environment and Development (Rio de Janeiro, 1992);

(c) Meetings of negotiating groups on desertification and climate change;

(d) World Conference on Human Rights (Vienna, 1993);

(e) Global Conference on the Sustainable Development of Small Island Developing States (Barbados, 1994);

(f) International Conference on Population and Development (Cairo, 1994);

(g) World Summit for Social Development (Copenhagen, 1994);

(h) Fourth World Conference on Women (Beijing, 1995).

6. The Heads of State and Government that use French as a common language, meeting in Grand-Baie, Mauritius, in October 1993, adopted a special resolution on the French-speaking community and international relations, in which, after having reiterated their solidarity and their firm desire to join efforts to build a better future for their peoples and the international community, expressly affirmed:

(a) Their firm commitment that they share with other international bodies efforts to find appropriate solutions to the major political and economic problems of today's world;

(b) Their determination to develop, within these bodies, as well as at major international conferences, an ongoing in-depth dialogue among the nations of the French-speaking world;

(c) Their support for activities to ensure that the French-speaking community maintains a dynamic presence in international affairs, within the framework of a new partnership with all the organizations that make up the United Nations family.

7. It was from its policy of openness and wish to cooperate with international organizations, in particular with the United Nations, that ACTC opened, in 1991, an office at the United Nations Office at Geneva, which provides:

(a) A place for meeting and dialogue for French-speaking delegations participating in the many meetings organized by the United Nations in Geneva;

(b) A base for French-speaking countries that do not have a permanent mission in Geneva;

(c) A place for maintaining liaison with the United Nations Secretariat and partner specialized agencies.

ACTC recently opened a similar office at United Nations Headquarters in New York, which also has the task of maintaining liaison with the World Bank and the International Monetary Fund.

8. Sharing the same ideas and pursuing the same objectives of peace, stability and development, the United Nations and ACTC are carrying out complementary activities in a number of areas of common interest. These activities must be strengthened and better coordinated for the benefit of the countries members of ACTC and, by extension, all States Members of the United Nations. To this end, close and regular working relations between the two organizations are advisable.

APPENDIX

Draft resolution

Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation

The General Assembly,

Recalling its resolution 33/18 of 10 November 1978, by which it granted observer status to the Agency for Cultural and Technical Cooperation,

Recalling also that one of the purposes of the United Nations is to achieve cooperation in solving international problems, in particular those of an economic, social and cultural character,

Further recalling that the Charter of the United Nations provides for the establishment of regional arrangements or agencies whose objectives and activities are consistent with the purposes and principles of the United Nations,

Noting with appreciation the desire expressed by the Heads of State and Government of the French-speaking countries at their Fifth Summit, held at Grand-Baie, Mauritius, from 16 to 18 October 1993, to contribute actively to the solution of the major political and economic problems of today's world and to begin a new partnership with all the organizations that make up the United Nations family,

Considering that the Agency for Cultural and Technical Cooperation brings together a considerable number of States Members of the United Nations that use French as a common language, among which it promotes multilateral cooperation in areas of interest to the United Nations,

Convinced of the need to coordinate the use of available resources to serve the common objectives of the two organizations,

Affirming the need to establish cooperation, or strengthen such cooperation if it already exists, between the two organizations in areas of common interest,

1. Registers with satisfaction the support expressed by the Heads of State and Government of countries that use French as a common language, for United Nations activities and their desire to begin a new partnership with the organizations of the United Nations system;

2. Welcomes the involvement of the countries that use French as a common language, through the Agency for Cultural and Technical Cooperation, in United Nations activities, in particular the preparation, conduct and follow-up of world conferences organized under United Nations auspices;

3. Takes note of the complementarity of the activities of the Agency for Cultural and Technical Cooperation and the United Nations, as well as the programmes and other organizations of the United Nations system;

4. Invites the Secretary-General to take the necessary steps, in consultation with the Secretary-General of the Agency for Cultural and Technical Cooperation, to promote cooperation between the two secretariats by encouraging meetings that enable their representatives to consult one another on projects, measures and procedures that will facilitate and expand cooperation and coordination between the two organizations;

5. Urgently requests the specialized agencies and other bodies and programmes of the United Nations to cooperate to this end with the Secretary-General of the United Nations and the Secretary-General of the Agency for Cultural and Technical Cooperation;

6. Requests the Secretary-General to submit a report on the implementation of this resolution to the General Assembly at its fiftieth session;

7. Decides to include in the provisional agenda of its fifty-second session an item entitled "Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation".